

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
February 04, 2025
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

TYLIK SAYVON DAVIS,)
)
Plaintiff,) Case No. 7:24-cv-00528
)
v.) **MEMORANDUM OPINION**
)
CORRECTIONAL OFFICER) By: Hon. Thomas T. Cullen
PHILLIPS *et al.*,) United States District Judge
)
Defendants.)

Plaintiff Tylik Sayvon Davis, proceeding *pro se*, filed a civil-rights action under 42 U.S.C. § 1983 against three officers and three inmates at Wallens Ridge State Prison. (*See* Compl. [ECF No. 1].) On December 10, 2024, the Court advised Plaintiff that his complaint failed to state a claim for which relief could be granted. (*See* Order [ECF No. 5].) The Court also advised Plaintiff that “[l]iability under § 1983 is ‘personal, based upon each defendant’s own constitutional violations’” and that a § 1983 claim therefore “requires concise factual detail about each defendant’s personal involvement.” (*Id.* at 1 (quoting *Trulock v. Freeh*, 275 F.3d 391, 402 (4th Cir. 2001); *Wilcox v. Brown*, 877 F.3d 161, 170 (4th Cir. 2017).) The Court therefore ordered Plaintiff to file an amended complaint within 30 days that provides sufficient factual detail to state plausible claims for relief against each Defendant. (*Id.* at 2.) The Court also cautioned Plaintiff that failure to amend within the 30-day period would result in dismissal of his complaint. (*Id.* at 2–3.)

More than 30 days have elapsed, and Plaintiff has not filed an amended complaint. Accordingly, the Court will dismiss this action without prejudice for failure to prosecute and comply with the Court's order. *See* Fed. R. Civ. P. 41(b).

The Clerk is directed to forward a copy of this Memorandum Opinion and accompanying Order to Plaintiff.

ENTERED this 4th day of February, 2025.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE